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(Pub. L. 105-275, title III, §310, Oct. 21, 1998, 112 Stat. 2456.)

#### **§ 166j. Construction contracts**

##### **(a) Liquidated damages**

The Architect of the Capitol may not enter into or administer any construction contract with a value greater than \$50,000 unless the contract includes a provision requiring the payment of liquidated damages in the amount determined under subsection (b) of this section in the event that completion of the project is delayed because of the contractor.

##### **(b) Amount of payment**

The amount of payment required under a liquidated damages provision described in subsection (a) of this section shall be equal to the product of—

- (1) the daily liquidated damage payment rate; and
- (2) the number of days by which the completion of the project is delayed.

##### **(c) Daily liquidated damage payment rate**

###### **(1) In general**

In subsection (b) of this section, the “daily liquidated damage payment rate” means—

- (A) \$140, in the case of a contract with a value greater than \$50,000 and less than \$100,000;
- (B) \$200, in the case of a contract with a value equal to or greater than \$100,000 and equal to or less than \$500,000; and
- (C) the sum of \$200 plus \$50 for each \$100,000 increment by which the value of the contract exceeds \$500,000, in the case of a contract with a value greater than \$500,000.

###### **(2) Adjustment in rate permitted**

Notwithstanding paragraph (1), the daily liquidated damage payment rate may be adjusted by the contracting officer involved to a rate greater or lesser than the rate described in such paragraph if the contracting officer makes a written determination that the rate described does not accurately reflect the anticipated damages which will be suffered by the United States as a result of the delay in the completion of the contract.

##### **(d) Effective date**

This section shall apply with respect to contracts entered into during fiscal year 2002 or any succeeding fiscal year.

(Pub. L. 107-68, title I, §130, Nov. 12, 2001, 115 Stat. 580.)

#### **§ 167. Lighting, heating, and ventilating House of Representatives**

The electrician, together with everything pertaining to the electrical machinery and apparatus, and the ventilation and heating of the House of Representatives, and all laborers and others connected with the lighting, heating, and ventilating thereof, shall be subject exclusively to the orders, and in all respects under the direction, of the Architect of the Capitol, subject

to the control of the Speaker; and no removal or appointment shall be made except with his approval. And all engineers and others who are engaged in heating and ventilating the House shall be subject to the orders, and in all respects under the direction, of the Architect of the Capitol, subject to the control of the Speaker; and no removal or appointment shall be made except with his approval.

(Mar. 3, 1877, ch. 105, 19 Stat. 348; Mar. 3, 1881, ch. 130, §1, 21 Stat. 388.)

##### **CODIFICATION**

Section, except the words “and the ventilating and heating of the House of Representatives,” is based on act Mar. 3, 1881, popularly known as the “Legislative, Executive, and Judicial Appropriation Act”. The excepted words were based on act Mar. 3, 1877, popularly known as the “Sundry Civil Appropriation Act, fiscal year 1878”.

##### **CHANGE OF NAME**

Change of name of Architect of the Capitol, functions abolished, transferred, etc., by prior acts, see Codification and Prior Provisions notes set out under section 161 of this title.

#### **§ 167a. Repealed. Pub. L. 90-417, July 23, 1968, 82 Stat. 407**

Section, act July 9, 1952, ch. 598, title I, 66 Stat. 473, directed Architect of Capitol to maintain service for House of Representatives after daily adjournment.

##### **EFFECTIVE DATE OF REPEAL**

Pub. L. 90-417 provided that after June 30, 1968, provisions of section 167a shall no longer be applicable.

#### **§ 168. Heating and ventilating Senate wing**

All engineers and others who are engaged in heating and ventilating the Senate wing of the Capitol shall be subject to the orders and in all respects under the direction of the Architect of the Capitol, subject to the approval of the Senate Committee on Rules and Administration.

(July 11, 1888, ch. 615, 25 Stat. 258; Aug. 2, 1946, ch. 753, title I, §102, title II, §224, 60 Stat. 814, 838.)

##### **CODIFICATION**

Section is based on act July 11, 1888, popularly known as the “Legislative, Executive, and Judicial Appropriation Act July 11, 1888, fiscal year 1889”.

##### **AMENDMENTS**

1946—Act Aug. 2, 1946, substituted “Committee on Rules and Administration” for “Committee on Rules”.

##### **EFFECTIVE DATE OF 1946 AMENDMENT**

Section 142 of act Aug. 2, 1946, provided that section 102 of that act shall take effect on Jan. 2, 1947, and section 245 of that act provided that section 224 thereof shall “take effect on the day on which the Eightieth Congress convenes”. The Eightieth Congress convened on Jan. 3, 1947.

#### **§ 168a. Repealed. Oct. 31, 1951, ch. 654, §3(16), 65 Stat. 708**

Section, act June 6, 1900, ch. 791, 31 Stat. 612, provided that fuel be delivered to the two wings of Capitol only during hours and under regulations as Architect of Capitol prescribes.

#### **§ 169. Furniture for House of Representatives**

The Architect of the Capitol shall supervise and direct the care and repair of all furniture in